

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
Jacqueline Ewynne Breuninger Buskop

Confirmation Number: 6098

Serial Number: 10/675,515

Examiner: REESE, David C.

Filed: 09/30/2003

Group Art Unit: 3677

**For: ADVERTISING DEVICE FOR
PRODUCE AND CANDY VENDORS**

Attorney Docket Number: 1207.01A

Mail Stop Appeal Brief - Patent
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE OF NON-COMPLIANT APPEAL BRIEF

This brief is in response to the Notice of Non-Compliant Appeal Brief dated November 20, 2008.

If an extension of time is required to enable this paper to be timely filed, this paper is to be construed as also constituting a Petition for Extension of Time under 37 CFR § 1.136(a) for a period of time sufficient to enable this document to be timely filed. Should any other fee be deemed necessary for any other reason relating to this document, the Commissioner is hereby authorized to deduct said fee from **Buskop Law Group Deposit P.C., Account No. 50-1313**.

This Supplemental Brief contains a replacement Section III, "Status of Claims,"

III. STATUS OF CLAIMS

Claims 1, 5, 7-9, and 13 remain pending in this application. Claims 1 and 8 are under appeal.

Claim 1 has been objected to and rejected.

Claims 2-4 have been cancelled.

Claim 5 has been rejected.

Claim 6 has been cancelled.

Claim 7 has been rejected.

Claim 8 has been objected to and rejected.

Claim 9 has been rejected.

Claims 10-12 have been cancelled.

Claim 13 has been rejected.

Claim 14 has been cancelled.

Claims 1, 5, 7-9, and 13 are listed in the Claims Appendix. Claims 1 and 8 are on appeal.

In view of the foregoing, it is respectfully submitted that the Examiner erred in not allowing all claims pending in the present application over the prior art of record. The undersigned attorney may be contacted at (713) 403-7411 with respect to any questions, comments, or suggestions in relation to this appeal.

Respectfully submitted,

A handwritten signature in black ink that reads "Wendy Buskop". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

Date: December 09, 2008

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